

**Exh. A, Letter from Richard M. Langweber, Esq., to Richard A.
Luthmann, Esq., Nov. 15, 2015**

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November 15, 2015

VIA ELECTRONIC MAIL AND PERSONAL SERVICE

Richard A Luthmann, Esq.
Luthmann Law Firm PLLC
1811 Victory Boulevard
Staten Island, NY 10314

Re: Lawrence Gilder v. John Gulino, et. al., 15-CV-04094-KAM-RER; Letter pursuant to Fed. R. Civ. Pro. 11

Dear Mr. Luthmann:

We are writing this letter pursuant to Fed. R. Civ. Pro 11, and demanding that you withdraw the Complaint you filed in Gilder v. Gulino et. al., EDNY Docket No. 15-CV-04094. It is apparent from the frivolity of the pleadings and your actions towards Mr. Gulino that this suit was filed for an “improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation,” and had no legitimate basis in fact or law. Fed. R. Civ. Pro. 11(b)(1-2). Accordingly, we are demanding that you withdraw your Complaint within twenty-one (21) days of receipt in this letter, or we will take all appropriate legal action, including moving this Court for sanctions pursuant to Fed. R. Civ. Pro. 11(c).

Our motion to dismiss, dated October 15, 2015, and provided to you via electronic mail and United States Certified Mail, demonstrates the legal and factual frivolity of your Complaint. See Exh. A, Motion to Dismiss Complaint in Gilder v. Gulino et. al., EDNY Docket No. 15–

CV-04094, Oct. 15, 2015. Your actions, however, both preceding the filing of the Complaint and subsequently while litigation was pending demonstrate a clear animus towards Mr. Gulino that, when combined with the factual and legal frivolity of the Complaint, demonstrate that the sole purpose of the Complaint was to harass Mr. Gulino, which is sanctionable under Fed. R. Civ. Pro. 11.

We have literally dozens of instances of harassment that demonstrate both your personal and political animus towards Mr. Gulino. If you do not withdraw the Complaint, we will submit these instances of animus as evidence that your sole motivation in filing the Complaint against Mr. Gulino was harassment. Some of the instances of political animus include the following:

- On February 9, 2015, Staten Island Live published a letter from Richard A. Luthmann stating “that there is no love lost between me and...John Gulino.” Exh. B, “Democratic Leader Should Explain or Resign (Letter to the Editor)”, Richard A. Luthmann, Staten Island Live, Feb. 9, 2015. In this letter, you criticize Mr. Gulino’s political leadership, stating that “John Gulino’s (laughable) legacy will be that the local Democratic Party became a ‘Raccoon Lodge’ while the Republicans solidified their political machine. And until the bitter end, Gulino remains secure as the ‘Grand Poobah’ of the ‘Raccoon Lodge’ because he prevents diversity of opinion on his county committee, desiring total control.” Id.
- You served as the filer with the New York Department of State for the “Democratic Committee of Richmond County, Inc.,” Exh C, N.Y.S. Dep’t of State Filing Receipt, Oct. 10, 2014, which just so happens to be the exact same name for the official Democratic Committee of Richmond County that is affiliated with the national

Democratic Party. Under New York State law, it is illegal for two entities to share the same name. See Generally NPL § 301.

- You have previously filed a complaint with the Democratic National Committee against Mr. Gulino for alleged age discrimination, despite the fact that Mr. Gulino is older than the individual who supposedly suffered age discrimination at Mr. Gulino's hands. Exh D, Letter from Richard A. Luthmann to Democratic Nat'l and State Committees, Nov. 25, 2014.
- On your website, you have published an article, with six pictures of Mr. Gulino at the top, essentially lambasting Mr. Gulino. Specifically, you wrote that "We did a good job despite the fact that we have a Leader who has basically sold out the Democratic Party and put candidates out in the field without adequate resources." Exh. E, "Do the Staten Island Democratic Party's Problems Start at the Top?".
- In a 2013 article, you accused Mr. Gulino of "bias" because he attempted "preclude Borough Presidential Candidate Richard A. Luthmann from the September 10, 2013, Democratic Primary Ballot." Exh. F, "The People's Advocate: Luthmann for Borough President," Sent to "sidemocrats@yahoo.com," from "Larry@luthmannforbp.com," Aug. 3, 2014.
- On September 11, 2013, you circulated a petition calling for Mr. Gulino's resignation and criticizing his leadership. Specifically, you wrote "Gulino is a leader who wants to make back-room deals to build the judicial bench, while at the same time he benches the rising stars in his own party at crunch time to attempt to all but ensure the Democratic Party's defeat. We cannot tolerate Gulino's destructive actions anymore." Exh. G, "Today, We Call for the Immediate Resignation of Richmond County Democratic Party

Chairman John P. Gulino,” to “sidemocrats@yahoo.com,” from “rluthmann@thedapperdemocratc.com,” Sept. 11, 2013.

- On or about August 12, 2014, you wrote on your Facebook page that “Gulino should resign immediately. Quentin Smith is a good man, a lifelong distinguished public servant. He should not be a victim at the hands of Gulino’s Cabal.” Exh. H, Facebook Page of Richard A. Luthmann, Aug. 12, 2014.
- On or about August 11, 2014, you posted on your Facebook page that Mr. Gulino is a “failure,” liability,” and that he fosters a “culture of division, diversion, and discrimination” as Party Leader. Exh. I, Facebook Page of Richard A. Luthmann, Aug. 11, 2014.

In addition to the aforementioned instances of political harassment an animus on your behalf towards Mr. Gulino, there are many instances which indicate a personal animus on your behalf towards Mr. Gulino. Some of these, which we shall submit to the Court in support of our motion for sanctions, include the following:

- On your Facebook page, on or about August 30, 2015, you posted a picture of yourself holding a small alligator. Below the picture was a caption stating: “My new pet alligator. It’s cold-blooded, tiny, slimey, scaley reptile and has a very, very small brain. I will call him Gulino.” Exh J, Screenshot of Richard A. Luthmann’s Facebook Page.
- You have started a twitter feed that you call “realjohngulino,” that features a picture of Mr. Gulino holding his left pinkie finger up to the left side of his mouth. In that twitter feed, comments include: “I am the Greatest Democratic Chair the Republicans ever had. Talk to me about hair care products and gels, creams and devices that stimulate”; “#gogetyourshinebox #shinebox #10percentjimmy,” an apparent reference to the film “Goodfellas”; “I’m a Swinging Cat at the Staaten. #hemorrhoid #failure #Skeletor,”

with a picture of a cardboard cutout of Mr. Gulino below the caption; “I’m so good at keeping people from events (and elected office) that Seagal should make a new movie #The_Bouncer,” with a picture of a cardboard cutout of Mr. Gulino and a sign saying “2 forms of ID, no one under 21 allowed, No ID=no entry, expired license=no entry” beneath the caption; and, “#GettingLucky #LadisMan #thepumpworks #tryingitwithawoman #DerekJeterHerpesTree #imhorny #gettinglaid,” and beneath the caption there is a photo of a cardboard cutout of Mr. Gulino and a young woman kissing the cutout. Exh K, “realjohngulino” Twitter Feed.

- On or about September 14, 2015, you gave a piece of paper with your client’s photo on it surrounded by dollar signs and the phrase “Gulino Money” to Michael Ryan, Executive Director of the Board of Elections and a party to this litigation. Exh L, “Gulino Money” Dollar Bill.
- Also on the “realjohngulino” Twitter feed, you posted a picture of a cardboard cutout of Mr. Gulino with the caption “#NewArrival just in time for #huntingseason life sized #targets for #targetpractice.” Exh. M, “realjohngulino” Twitter Feed.
- On or about Tuesday, October 20, 2015, you brought cardboard cutouts depicting a likeness of Mr. Gulino to the Staten Island Democratic Association. Exh. N, Photo of Cardboard Cutouts.
- On or about Sunday, October 25, 2015, you were seen in Jody’s Restaurant on Staten Island with a cardboard cutout depicting a likeness of Mr. Gulino. Exh. O, Photo of Cardboard Cutout.
- On or about October 29, 2015, you were seen in Taber’s Chop House with a cardboard cutout depicting a likeness of Mr. Gulino wearing an apron. Exh. P, Photo of Cardboard Cutout.

- On or about November 4, 2015, you posted on your Facebook account a photo of you with a cardboard cutout depicting a likeness of Mr. Gulino. In the caption to that photo, you write “I am still spot-on about Gulino. He will always be a first class A-Hole.”

Exh. Q, Screenshot of Richard A. Luthmann’s Facebook Page.

- There is a Facebook conversation where you decline invitations to join another party because “I can’t harass Gulino nearly as well.” Exh. R, Facebook Conversation

Between Richard A. Luthmann, Thomas Barlotta, James Barney, and Stephanie A. Jones.

- On or about January 22, 2015, you posted a message on your Facebook page lamenting the fact that Mr. Gulino had not interviewed your client, Mr. Gilder. You wrote, “in an effort to show John Gulino that Larry is of European descent a t-shirt has been created.” You posted a picture of the t-shirt that bears the message “Hey John Gulino! Kiss Me I’m Sicilian!” Exh. S, Facebook Page of Richard A. Luthmann, Jan. 22, 2015.

In addition to these incidents, and beyond this case, your harassment of Mr. Gulino has found its way into the courtroom as well. The case at bar is at least the third time that you have initiated litigation involving Mr. Gulino, as you have previously litigated (and lost) your own failed 2013 bid to become Staten Island Borough President (see Matter of Fall v. Luthmann, 109 A.D.3d 540 (2nd Dept. 2013), appeal denied, 21 N.Y.3d 861 N.Y. (Aug. 21, 2013), and you also recently brought a failed litigation against Mr. Gulino by invalidating petition signatures collected to keep Mr. Gulino on the County Committee and as its party chairman. See Matter of Luthmann v. Gulino, 131 A.D.3d 136 (2nd Dept. 2015), appeal denied 2015 N.Y. LEXIS 2137 (N.Y. Aug. 25, 2015). In addition, you have filed a grievance with the New York State Democratic Party due to your alleged exclusion from the Richmond County Democratic Gala Event, as well as Mr. Gulino’s negative comments about you. You were not allowed into the

Gala event because you had not purchased a ticket, and because the individual who allegedly invited you did not have the authority to do so, as he had not purchased the table to which he had allegedly invited you. To the extent you claim that Mr. Gulino has made disparaging comments about you, your grievance utterly fails to specify the time, place, or audience of these comments, and is therefore frivolous. Moreover, any such alleged comments are likely protected by the First Amendment's free speech guarantees. Should you persist in your stated course of action, we will not only include that frivolous law suit as a basis for sanctions in this Court, but we will also move for sanctions in any future New York State Supreme Court action.

The instances excerpted here are just a handful of the pieces of evidence regarding your personal and political animus towards Mr. Gulino that we will submit to the Court in support of our motion for sanctions. When combined with the frivolity of the legal and factual allegations in the Complaint, your animus towards Mr. Gulino demonstrates that this suit was filed for the sole purpose of harassing him. Accordingly, we are demanding that you withdraw your Complaint within twenty-one days of receipt of this letter. Failure to do so will result in us taking all legal steps-including asking the Court for sanctions.

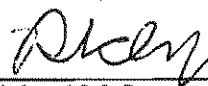
In addition to these instances of harassment, it has come to our attention that you continue to threaten and harass Mr. Gulino with false allegations of criminal conduct as well as threats to his physical safety. If you do not immediately cease and desist with these threats, we will bring them to the attention of the Court in support of our motion for sanctions, as well as take all other legal action available to us, including reporting your conduct to the police.

Mr. Luthmann, there is no doubt that you have an absolute First Amendment right to express your displeasure with Mr. Gulino as Party Chair. But the First Amendment does not permit you to abuse the judicial process by filing frivolous lawsuits for the purpose of pursuing your animus against Mr. Gulino, and nor does it justify threatening or harassing behavior on

your part. If you continue with this course of conduct, we will move this Court for sanctions and take all other available legal action.

Your time and attention to this matter are greatly appreciated. Please do not hesitate to contact me with any questions, comments, or concerns.

Sincerely,



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Counsel to John P. Gulino

Exh B, Screenshot of Richard A. Luthmann's Facebook Page

Verizon

1:01 PM



100%



Richard A. Luthmann

Yesterday at 3:45 PM · 🌐

My new pet alligator. It's a cold-blooded, tiny, slimey, scaley reptile and has a very, very small brain. I will call him Gulino.



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Exh. C, “realjohngulino” Twitter Feed



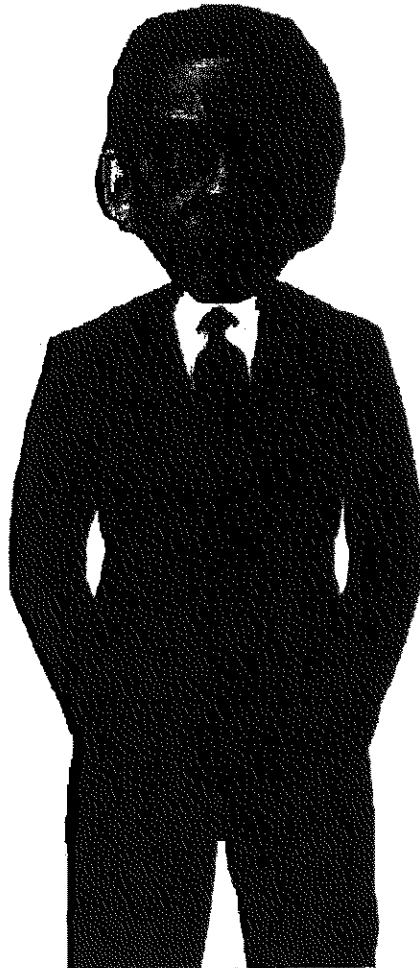
Tweet

**Real John Gulino**

@realjohngulino



#NewArrival just in time for
#huntingseason life sized #targets for
#targetpractice



Perry F. and John Gulino



Home



Notifications



Moments



Messages



Me

Exh. D, “Democratic Leader Should Explain or Resign (Letter to the Editor)”, Richard A. Luthmann, Staten Island Live, Feb. 9, 2015



Democratic leader should explain or resign (letter to the editor)

Letters to the Editor | editor@siadvance.com By Letters to the Editor | editor@siadvance.com

on February 09, 2015 at 2:53 PM, updated February 09, 2015 at 4:02 PM

By Richard A. Luthmann

Silver Lake

Anyone who knows this native Islander and Monsignor Farrel and Columbia University graduate can tell you that there is no love lost between me and Democratic Party Leader John Gulino in New Dorp, a fellow attorney. Even if I would have done my best mischief at every opportunity, it has become a fool's errand to try to make that man look bad - he does it all by himself.

Remember 2013 when the party leader's questionable pick for borough presidential candidate, Louis Liedy, paved the way for the historic Republican victory by James Oddo with nearly 70 percent of the vote? A pattern has emerged. Recently, Gulino alienated the DCCC (Democratic Congressional Campaign Committee) with the "Train-Recchia" debacle. Now the national Dems have conceded the special congressional election as "unwinnable."

To the Washington elite, our congressional district is politically on par with Amarillo or Midland, Texas - and to the politicos, Islanders are backward people who are not likely to change their mind.

The problem is that Staten Island is not Midland or Amarillo. There are no Cracker Barrels or Waffle Houses here. If you call what Pizza Hut produces "pizza" compared to Goodfellas or Denino's, you will get you laughed at - or worse. No, what makes Staten Islanders appear on the national stage as ignorant and indistinguishable from shirtless, shoeless, toothless rednecks is the total failure of Democratic Leader Gulino to identify, support and cultivate political candidates and build a party machine.

In the 1970s, Guy Molinari set the groundwork for the Republican Party's political machine we still see today. Candidates are identified and cultivated for races now and in the future. No matter who the candidate is, no matter which seat, the Republican machine gets its contributors ready and arms its candidates with monetary support. The signs appear like clockwork up and down Richmond Avenue, Hylan Boulevard, Richmond Road, Amboy Road and all points in-between. You're guaranteed to know who is running - if they are a Republican

Simple question: Why don't the Democrats have a "machine"? Why doesn't John Gulino want a machine to control the process? What is his motivation? Can we expect anything other than more of the same? Simple answer: John Gulino's (laughable) legacy will be that the local Democratic Party became a "Raccoon Lodge" while the Republicans solidified their political machine. And until the bitter end, Gulino remains secure as the "Grand Poobah" of the "Raccoon Lodge" because he prevents diversity of opinion on his county committee, desiring total

control."

#: 1047

Now a political machine is no guarantee of victory. Other factors are relevant, like putting an unelectable Brooklynite up for the NY-11 congressional seat (maybe twice). No matter how good your machine or money, that's a pill that Staten Island won't swallow. But this pattern should be disturbing to all. A strong Democratic Party and a strong two-party system is vital to our political process. It makes elections matter.

Chairman Gulino owes Staten Island Democrats and our entire local community an explanation of what he will to do produce viable Democratic candidates - or his resignation.

(The writer sought the Democratic nomination for borough president in 2013, but failed to collect enough petition signatures to qualify for the primary ballot.)

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**Exh E, Letter from Richard A. Luthmann to Democratic Nat'l and
State Committees, Nov. 25, 2014**

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⁺LL.M. in Estate Planning

^Δ Admitted, US Tax Court

^Φ Admitted, District of New Jersey

^o Admitted, Eastern District of New York

^Ω Admitted, Southern District of New York

By FEDEX

November 25, 2014

Democratic National Committee
430 South Capitol St. SE
Washington, DC 20003

New York State Democratic Committee
750 Third Avenue
31st Floor
New York, NY 10017

New York State Democratic Committee
118a Fulton Street, Box #410
New York, NY 10038
Fax: (212) 725-8867
nysdc@nydems.org

New York State Senate Dems
111 Washington Ave.
Suite 409
Albany, NY 12210
Fax: (518) 462-1082

Re: Age-Based Discrimination in Staten Island, New York
Formal Grievance of Staten Island Democrat Robert J. Castro
Against Party Leader John P. Gulino, Kevin Elkins and the
Richmond County Democratic Committee

Dear Sir or Madam:

These offices represent the above-referenced Robert J. Castro ("Mr. Castro").
This letter is a formal grievance based upon the aged-based discrimination suffered by
Mr. Castro at the hands of the Democratic Committee of Richmond County ("Richmond

THE LUTHMANN LAW FIRM, PLLC

County Democratic Committee"),¹ its Party Leader John P. Gulino ("Mr. Gulino")² and its former Executive Director Kevin Elkins (Mr. Elkins").³ Despite promises that he would be elevated to a position with the Richmond County Democratic Committee as Director of Outreach to the Minority Communities with an *ad hoc* seat on the Executive Board, Mr. Castro was the victim of Mr. Gulino's broken promise as Mr. Gulino failed to elevate Mr. Castro and terminated Mr. Castro from the Richmond County Democratic Committee Executive Board based on his age.⁴ Mr. Castro was not given the courtesy of a meeting or a handshake, as Mr. Castro was mailed an undated letter to that effect drafted by Mr. Elkins, signed by Mr. Gulino and on the letterhead of the Richmond County Democratic Committee (the "Dismissal Letter").⁵

Mr. Castro has given a lifetime of service to the Democratic Party, culminating with the final eight years as a District Leader for the 61st Assembly District prior to his dismissal based upon age-based discrimination. Mr. Castro is an executive with a Fortune 500 Company and a proud Latino. In fact, Mr. Castro was the only Hispanic, bi-lingual district leader in a district that comprises a large Hispanic population.

As you can see, Mr. Castro has delayed in making this Formal Grievance and in seeking further legal action.⁶ This is because as a good Democrat, Mr. Castro did not

¹ The Democratic Committee of Richmond County is a political committee formed under the New York State Election law and is the local Democratic Party entity for Richmond County, New York, under New York State Democratic Party rules.

² Mr. Gulino is the Richmond County Democratic Committee Chairman, the local Democratic Party Leader, and the Treasurer of the New York State Democratic Committee. Mr. Gulino is listed as a member of the party leadership of the New York State Democratic Committee. See <http://nydems.org/party/leadership/biographies/> [last visited November 25, 2014].

³ Mr. Elkins is the former Executive Director of the Richmond County Democratic Committee and a current employee of the office of New York City Comptroller Scott M. Stringer.

⁴ Mr. Gulino made this promise to Mr. Castro on or about May 1, 2013, in a meeting with Mr. Gulino and an undisclosed Democratic Party lobbyist and operative at the Richmond County Democratic Committee Headquarters.

⁵ The letter was received on January 16, 2014, and is attached herewith as EXHIBIT "A".

⁶ Mr. Castro sent a certified letter dated January 20, 2014, attached herewith as EXHIBIT "B" and another certified letter dated March 29, 2014, (signed for by Mr. Gulino on

want to interfere with the chance for Democratic Party candidates to win in the 2014 election cycle, particularly in the election to take back the seat in New York's Eleventh Congressional District. Mr. Castro left the Richmond County Democratic Committee and its Party Leader to its own devices. In so doing, the world saw the Richmond County Democratic Committee under the leadership of Mr. Gulino suffer an Election Night rout and what will surely become a cautionary tale of epic political blunders, where the Congressional seat could not be taken back against an indicted Republican Candidate, based in large part because of the failures in political due diligence by the Party Leader.⁷

The website for the Democratic National Committee states:

Democrats have a long and proud history of defending Civil Rights and expanding opportunity for all Americans. From the Civil Rights Act of 1964 to the Lilly Ledbetter Fair Pay Act in 2009 to including marriage equality in the party platform in 2012, Democrats have fought to end discrimination in all forms—including discrimination based on race, sex, ethnicity or national origin, language, religion, sexual orientation, gender identity, age, or disability.

See http://www.democrats.org/issues/civil_rights [last visited November 25, 2014]. Additionally, Article 1, Section 1 (b) of the Rules of the Democratic Party of the State of New York state:

No test for membership in, nor any oath of loyalty to, the Democratic Party of New York shall be required or used that

April 3, 2014) attached herewith as EXHIBIT "C". To date, Mr. Castro has received no response.

⁷ After spending over \$ 5million dollars in the Congressional Race, Mr. Gulino blamed Staten Island voters and would admit no blame for failing to select an electable candidate in the district, failing to build and expand the party base and for his continued failures in political due diligence. Mr. Gulino's statements since the election have been inflammatory to the local community as a whole: "'It's not a black on eye on the party," he said. "It's a black eye on Staten Island.'" The Staten Island Advance Article dated November 5, 2014, is attached herewith as EXHIBIT "D".

has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone, or support discrimination on the grounds of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, disability, or economic status.

In terminating Mr. Castro, age 62, from the Executive Board of the Richmond County Democratic Committee, Mr. Gulino breached the agreement made in May of 2013 and the breach was based upon impermissible age-based discrimination.⁸ The Dismissal Letter drafted by Mr. Elkins, signed by Mr. Gulino and on the letterhead of the Richmond County Democratic Committee stated: "If we do not seize the opportunities, energy and ideas that our younger generation offers, we will never thrive as a political organization." However, Mr. Gulino is over 70 years of age. The Vice Chairman is 75 years old; and an exceedingly large number of the Executive Committee qualify for AARP cards.⁹

⁸ The termination is against the weight of the credible evidence. Mr. Castro worked tirelessly for the Democratic Party is discharging his duties as District Leader as recently as in 2013, when he served countless hours collecting petition signatures, delivering lawn signs, knocking on doors and doing literature drops for candidates including Bill deBlasio, Leticia James and Debi Rose, all in Staten Island's 61st Assembly District, the population of which is exceedingly growing Hispanic. Last year, Mr. Castro, even after his wrongful termination – based on his love for the Democratic Party and its ideals - did the same in collecting petition signatures, delivering lawn signs, knocking on doors and doing literature drops for candidates including Governor Cuomo, Lt. Governor Hochul, State Attorney General Schneiderman and State Comptroller DiNapoli and would have done the same for State Senator Savino and State Assemblyman Titone had those leaders had Election Day opponents.

⁹ Mr. Castro believes that we would not even be at this point had the allegation been made that the invidious discrimination was of a different character. Mr. Gulino is not sensitive to the blatant ageism and has made adherence to his position a *de facto* oath of loyalty (in direct contravention of party rules) to the extent that Executive Board members have parroted his statement: "There are many people over the age of 60 years old on the Executive Board." This statement is itself discriminatory. If the allegation were that Mr. Castro were discriminated against because of his race, of course the statement "There are many black people on the Executive Board" or "There are many Hispanic people on the Executive Board" would, in no way shape or form serve as

Mr. Castro has been aggrieved by the actions of Mr. Gulino, Mr. Elkins and the Richmond County Democratic Committee. In addition to the discrimination, Mr. Gulino compounded the matter by referring to Mr. Castro, an executive with a Fortune 500 Company, as someone who tried to "undermine" the Democratic Party.¹⁰ These allegations, published in the local Staten Island Advance smack of libel *per se*, as they affect Mr. Castro's ability for mobility at his current position and for future employment.¹¹

The undersigned writes this letter on behalf of Mr. Castro in the hopes of a resolution of the issues that Mr. Castro has with Mr. Gulino, Mr. Elkins and the Richmond County Democratic Committee. Mr. Castro intends on seeking legal redress in Federal Court. The undersigned has made it known to Mr. Castro that he will have

justification for the actions of Mr. Gulino and the Richmond County Democratic Committee for removing an individual because Mr. Gulino wanted to make the Executive Committee "whiter". It would be hard to make the Richmond County Democratic Committee any "whiter" as it reflects a racial makeup of Staten Island in the mid-1980s and does not reflect the near 20% borough-wide Hispanic population. Moreover, it is disgraceful that, in the wake of Ferguson, Missouri, and the Eric Garner tragedy that the Democratic Party Leader is so insensitive to discrimination in all its forms. But then again, this has become expected of the Staten Island Democratic Party Leader. When the entire community marched in solidarity against violence in the wake of death of Eric Garner, Mr. Gulino was nowhere to be found at or around the site of Eric Garner's death. Instead, he was hop-knobbing with his elite group at an exclusive party fundraiser on the Island's East Shore.

¹⁰ The Staten Island Advance Article dated March 12, 2014, is attached herewith as EXHIBIT "E".

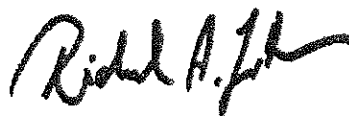
¹¹ Matherson v. Marchello, 100 A.D.2d 233 (N.Y. App. Div. 2d Dep't 1984)(Titone, J.) ("A plaintiff suing in libel need not plead or prove special damages if the defamatory statement tends to expose the plaintiff to public contempt, ridicule, aversion or disgrace, or induce an evil opinion of him in the minds of right-thinking persons, and to deprive him of their friendly intercourse in society. Thus, unlike the law of slander, in the law of libel the existence of damage is conclusively presumed from the publication itself and a plaintiff may rely on general damages.")

to seek litigation counsel for this endeavor and that the undersigned will take no part in that litigation.¹²

The above being said, Mr. Castro is a good man and a good Democrat. However, Mr. Castro has been aggrieved by a local Democratic Party and its leadership, and Mr. Castro seeks redress as he well should. I hope that this matter can be resolved prior to legal action. My worry is that Mr. Castro will bring this case to Federal Court either Pro Se or – even worse with litigation counsel with a partisan agenda aimed at hurting the Democratic Party as a whole based on the improper actions of few.

Mr. Castro would like this entire situation fully investigated and the proven offenders to be publicly censured. Mr. Castro would also like to be made whole for the harms suffered based on defamation and invidious discrimination. Please reach out to my offices prior to December 7, 2014, if good faith resolution can be accomplished. Thereafter, “all bets are off” as they say. If you have any questions or concerns, please do not hesitate to contact my law offices.

Regards,



Richard A. Luthmann, Esq.

CC: Client File
Hon. Andrew Cuomo
Hon. Charles Schumer
Hon. Bill deBlasio
Hon. David Patterson
Hon. Sheldon Silver
Hon. Leticia James

¹² Mr. Gulino is a fellow attorney. I will not sue another member of the Bar, even if this case is based on harms caused by political activities. I made this promise to on several occasions to several of Mr. Gulino's representatives because Mr. Gulino does not consider the undersigned “at his level.” Moreover, the undersigned has been threatened in his career and in his business because of his continued representation of Mr. Castro.

**Exh. F, “Do the Staten Island Democratic Party’s Problems Start at
the Top?”**

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**Final Note:
Staten Island Democrats Have Much to Do**

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**Do the Staten Island
Democratic Party's Problems
Start at the Top?**



A Final Note: Staten Island Democrats Have Much to Do

By Richard A. Luthmann

Earlier this week, my supporters and I brought a grassroots campaign for the Borough Presidency of Staten Island to an end. We attempted to raise important issues about jobs,

infrastructure and green energy, employ new media, broaden the party base and cause the Democratic Party to limp into the late 1990s as a political-technological machine.

We did a good job despite the fact that we have a Leader who has basically sold out the Democratic Party and put candidates out in the field without adequate resources. I wished the Democratic Candidate the best of luck. He is a good man, and he deserves his fifteen minutes. But the Leader will not provide Mr. Liedy's campaign with resources adequate enough to cause the casual political observer not to wonder whether back-room dealing with the Republicans have effectively made our Island a one-party political system, with the exception of our Democratic elected officials that must work under an undue burden and without a full team in support.

The sad result is that Staten Island does not (and until this system changes, will never) have much clout on the City, State or Federal levels. We must reverse our image of being a dumping ground on all levels, ruled by an assortment of thugs. We need aggressive yet intelligent politicians so that will get Staten

Island its fair share. We will not get there until there is change in the philosophy of leadership in both of the Island's major political parties from the "go-along," "*status quo*" mentality to an aggressive philosophy of delivering proactive solutions for all Staten Islanders.



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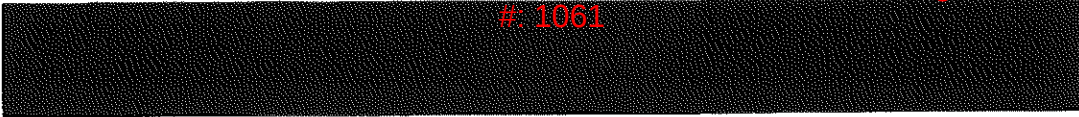
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Exh. G, Screenshot of Richard A. Luthmann's Facebook Page



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Richard A. Luthmann

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You can't be a big man and a small man all at once. I was wrong about this election and Michael McMahon. He will do a great job as DA because Staten Island needs him. But I am still spot-on about Gulino. He will always be a first class A-Hole.



Island Democrat launches into tirade against party chairman

[videos.silive.com](https://www.silive.com/videos)

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Briget Anne Rein

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**Exh. H, Facebook Conversation Between Richard A. Luthmann,
Thomas Barlotta, James Barney, and Stephanie A. Jones**



Richard A. Luthmann and 20 others like this. >



Thomas Barlotta

As a Republican, i love him 😊

Yesterday at 10:12 PM · Edited · Like · Reply



James Barney

Have you now gone to the darkside as well?

Yesterday at 11:01 PM · Like · Reply



Stephanie A. Jones

Richard does not go to the "darkside;" he is his OWN side based upon assessments of character. IMAGINE that - not some specious polarity but rather true driving vision for the best that can be.

Yesterday at 11:04 PM · Like · 1 · Reply



Richard A. Luthmann

Not sure. I have two minor parties offering me to come over and be their Law Chair. But I couldn't do that. Not my ideology. Plus, I can't harass Gulino nearly as well.

Yesterday at 11:08 PM · Edited · Like · 1 · Reply



James Barney [https://search.yahoo.com/...](https://search.yahoo.com/)



Stephanie A. Jones Great.



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